

House Amendment to  
Senate File 496

S-3117

1 Amend Senate File 496, as amended, passed, and reprinted by  
2 the Senate, as follows:

3 1. By striking everything after the enacting clause and  
4 inserting:

5 <DIVISION I

6 SCHOOL BOARDS — DUTIES AND RESPONSIBILITIES

7 Section 1. NEW SECTION. **279.8C Board of directors — access**  
8 **to information.**

9 1. The board of directors of a school district shall have  
10 access to and may review any of the following:

11 a. The curriculum associated with any instruction provided  
12 to students enrolled in the school district.

13 b. Materials located in a library operated by the school  
14 district, including a library located in a classroom.

15 2. A school district shall not prohibit a member of the  
16 board of directors of the school district from attending  
17 classes taught by teachers employed by the school district  
18 to observe classroom instruction, not for the purpose of  
19 evaluation, if the member has provided reasonable prior notice  
20 to the superintendent and principal of the attendance center  
21 in which the classes are taught and to the teacher providing  
22 the instruction.

23 3. a. A school district shall not prohibit a member of  
24 the board of directors of the school district from accessing  
25 materials used in a professional development program that  
26 the school district, or an administrator employed by the  
27 school district, requires employees of the school district to  
28 attend. This paragraph shall not be construed to authorize  
29 a member of the board of directors of the school district to  
30 access an individual teacher professional development plan  
31 developed pursuant to section 284.6 or any materials related  
32 to an intensive assistance program a teacher is required to  
33 participate in pursuant to section 284.8.

34 b. A school district, or an administrator employed by the  
35 school district, shall provide copies of materials used in a

1 professional development program that the school district, or  
2 an administrator employed by the school district, requires  
3 employees of the school district to attend to a member of the  
4 board of directors of the school district upon request. This  
5 paragraph shall not be construed to require a school district,  
6 or an administrator employed by the school district, to provide  
7 copies of an individual teacher professional development plan  
8 developed pursuant to section 284.6, or any materials related  
9 to an intensive assistance program a teacher is required to  
10 participate in pursuant to section 284.8, to a member of the  
11 board of directors of the school district.

12 4. For purposes of this section, "*professional development*  
13 *program*" means the same as defined in section 272.1.

14 DIVISION II

15 RESPONSIBILITIES AND REQUIREMENTS RELATED TO HEALTH

16 Sec. 2. DEPARTMENT OF EDUCATION — HEALTH CARE-RELATED  
17 TRAINING FOR SCHOOL PERSONNEL WORK GROUP.

18 1. The department of education shall convene and provide  
19 administrative support to a health care-related training  
20 for school personnel work group. The work group shall  
21 review and develop a plan to ensure Iowa educators have the  
22 health care training necessary to perform their duties and  
23 responsibilities, and shall consider and submit recommendations  
24 for delivery and implementation of training required under  
25 state law or rule.

26 2. The work group shall include all of the following:

27 a. (1) Two members who are staff members from the  
28 department of education, one of whom shall be an administrative  
29 consultant in the bureau of nutrition and health services.  
30 A member appointed under this subparagraph shall coordinate  
31 the work group and act as chairperson for the organizational  
32 meeting.

33 (2) One member who is a staff member from the Iowa  
34 department of health and human services.

35 b. Members who shall represent each of the following:

1 (1) One member from a statewide organization representing  
2 teachers.

3 (2) One member from a statewide organization representing  
4 school board members.

5 (3) One member from a statewide organization representing  
6 school administrators.

7 (4) One member from a statewide organization representing  
8 authorities in charge of accredited nonpublic schools.

9 (5) One member representing the area education agencies.

10 (6) One member from a statewide organization representing  
11 physicians.

12 (7) One member from a statewide organization representing  
13 athletic trainers.

14 (8) One member from a statewide organization representing  
15 emergency management services.

16 (9) One member from a statewide organization representing  
17 health care organizations.

18 (10) One member from a statewide organization representing  
19 school nurses.

20 3. Any expenses incurred by a member of the work group  
21 shall be the responsibility of the individual member or the  
22 respective entity represented by the member.

23 4. The director of the department of education or the  
24 director's designee shall compile and provide to the work group  
25 a list of, and the purposes for, the health care training  
26 programs that school personnel are required to complete, as  
27 well as any requirements school personnel must meet following  
28 such training, in order to be in compliance with state law or  
29 administrative rule.

30 5. The work group shall do all of the following:

31 a. Identify which trainings can be best provided over the  
32 internet, and how such training can be rotated on a five-year  
33 basis for school personnel.

34 b. Develop a plan for a regular cycle of health care-related  
35 training for school personnel review, with the goal of removing

1 or modifying training or training programs that are no longer  
2 relevant, and identifying less costly and more efficient  
3 options that still provide the appropriate level of training to  
4 school personnel.

5 c. Standardize the process of establishing new training  
6 requirements in state law or rule to manage stakeholder  
7 expectations relating to the timeline for establishing the  
8 requirements.

9 d. Create an ongoing review process to find efficiencies,  
10 identify training options that better utilize time and  
11 financial resources, and offer a continuous improvement model  
12 for the system moving forward.

13 e. Study and make any recommended changes on rules adopted  
14 by the state board of education under 281 IAC ch. 14, relating  
15 to individual health plans prepared for students with various  
16 health conditions.

17 f. Ensure a public comment process for patient advocacy  
18 groups and parents to provide input on the recommendations of  
19 the work group.

20 6. If the work group recommends elimination or significant  
21 modification of certain health care-related training for  
22 school personnel, the department of education shall identify  
23 stakeholders who would potentially be affected by such  
24 change, and shall invite representatives from organizations  
25 representing such stakeholders to submit comments before or  
26 at an upcoming work group meeting before the work group makes  
27 final recommendations.

28 7. The department of education shall compile the work  
29 group's findings and recommendations and shall submit the  
30 compilation, including any proposal for legislation, in a  
31 report to the general assembly, the governor, and the state  
32 board of education by December 1, 2023.

33 DIVISION III

34 MANDATORY REPORTERS

35 Sec. 3. Section 232.69, subsection 1, unnumbered paragraph

1 1, Code 2023, is amended to read as follows:

2 The classes of persons enumerated in [this subsection](#) shall  
3 make a report within twenty-four hours and as provided in  
4 section 232.70, of cases of child abuse. In addition, the  
5 classes of persons enumerated in [this subsection](#) shall make a  
6 report of abuse of a child ~~who is under twelve years of age and~~  
7 ~~may make a report of abuse of a child who is twelve years of age~~  
8 ~~or older~~, which would be defined as child abuse under section  
9 232.68, subsection 2, paragraph "a", subparagraph (3) or (5),  
10 except that the abuse resulted from the acts or omissions of  
11 a person other than a person responsible for the care of the  
12 child.

13 Sec. 4. Section 232.69, subsection 1, paragraph b,  
14 subparagraph (4), Code 2023, is amended to read as follows:

15 (4) A licensed school employee, certified para-educator,  
16 holder of a coaching authorization issued under [section 272.31](#),  
17 school employee who is eighteen years of age or older, or an  
18 instructor employed by a community college.

19 Sec. 5. Section 232.70, subsection 5, Code 2023, is amended  
20 by adding the following new paragraph:

21 NEW PARAGRAPH. *Of.* If the person making the report is a  
22 licensed school employee who reasonably believes the person  
23 responsible for the injury is also a licensed school employee,  
24 the identity of the licensed school employee the person making  
25 the report believes is responsible for the injury.

26 DIVISION IV

27 DEPARTMENT OF EDUCATION — REPORTING AND INVESTIGATION PROCESS

28 Sec. 6. Section 256.9, Code 2023, is amended by adding the  
29 following new subsection:

30 NEW SUBSECTION. 66. *a.* Develop and implement a process  
31 for the reporting and investigation of any incident that arises  
32 that may reasonably lead to the conclusion that any individual  
33 who is employed by the board of directors of a school district,  
34 the authorities in charge of an accredited nonpublic school,  
35 or the governing board of a charter school, including an

1 individual with a license, endorsement, certification,  
2 authorization, or statement of recognition issued by the  
3 board of educational examiners, has committed a felony or,  
4 in the case of an individual with a license, endorsement,  
5 certification, authorization, or statement of recognition  
6 issued by the board of educational examiners, has engaged in  
7 conduct described in section 272.15, subsection 1, paragraph  
8 "a", subparagraph (1), subparagraph divisions (a) through (d).

9     *b.* The process shall prohibit the board of directors of a  
10 school district, the authorities in charge of an accredited  
11 nonpublic school, and the governing board of a charter school  
12 from entering into any of the following:

13     (1) A written or oral agreement that prohibits the board  
14 of directors of the school district, the authorities in charge  
15 of an accredited nonpublic school, the governing board of  
16 a charter school, an employee of the school district, the  
17 accredited nonpublic school, or the charter school, or a  
18 contractor of the school district, the accredited nonpublic  
19 school, or the charter school from discussing an incident, past  
20 performance or actions, past allegations leading to discipline  
21 or adverse employment action, or employee resignation with any  
22 governmental agent, governmental officer, or any potential  
23 employer.

24     (2) A written or oral agreement that waives the liability  
25 of an individual with a license, endorsement, certification,  
26 authorization, or statement of recognition issued by the  
27 board of educational examiners related to or arising from an  
28 incident, past performance or action, or past allegations of  
29 wrongdoing.

30     *c.* The process shall require the board of directors of a  
31 school district, the authorities in charge of an accredited  
32 nonpublic school, and the governing board of a charter school  
33 to finalize the investigation of the incident even if the  
34 employee resigns or the employee's contract is terminated  
35 during the investigation. The board of directors of a school

1 district, the authorities in charge of an accredited nonpublic  
2 school, or the governing board of a charter school, as  
3 applicable, shall provide the board of educational examiners  
4 with the results of the investigation if the employee who  
5 was investigated has a license, endorsement, certification,  
6 authorization, or statement of recognition issued by the board  
7 of educational examiners.

8 *d.* The process shall require the board of directors of a  
9 school district, the authorities in charge of an accredited  
10 nonpublic school, and the governing board of a charter school  
11 to take all of the following actions with respect to employees  
12 who do not hold a license, endorsement, certification,  
13 authorization, or statement of recognition issued by the board  
14 of educational examiners:

15 (1) Collect and retain all complaints and reports related to  
16 incidents reported under this subsection that are associated  
17 with the employee and that relate to the health and safety of  
18 students.

19 (2) Notify the school district, accredited nonpublic  
20 school, or charter school that employs, or is seeking to  
21 employ, the employee of the existence and nature of the  
22 complaints and reports related to incidents reported under  
23 this subsection that are associated with the employee and that  
24 relate to the health and safety of students if contacted by  
25 the school district, accredited nonpublic school, or charter  
26 school. This subparagraph shall not be construed to require  
27 the board of directors of a school district, the authorities  
28 in charge of an accredited nonpublic school, or the governing  
29 board of a charter school to disclose unfounded, closed  
30 investigations.

31 *e.* The board of directors of a school district, the  
32 authorities in charge of an accredited nonpublic school, or  
33 the governing board of a charter school, and contractors of  
34 the school district, the accredited nonpublic school, or the  
35 charter school shall be immune from any civil liability arising

1 from discussing an incident, past performance or actions,  
2 past allegations leading to discipline or adverse employment  
3 action, or employee resignation with any governmental agent,  
4 governmental officer, or any potential employer.

5 *f.* If the board of educational examiners finds that the  
6 board of directors of a school district, the authorities in  
7 charge of an accredited nonpublic school, or the governing  
8 board of a charter school has intentionally failed to follow  
9 the process established by this subsection regarding an  
10 incident, or the reporting requirements established pursuant  
11 to section 272.15, related to an employee who holds a license,  
12 endorsement, certification, authorization, or statement of  
13 recognition issued by the board of educational examiners, the  
14 board of educational examiners shall assess a fine against  
15 an administrator of the school district, the accredited  
16 nonpublic school, or the charter school who intentionally  
17 failed to ensure compliance with the process of not less than  
18 five hundred dollars and not more than five thousand dollars.  
19 Payments of the fine provided in this paragraph shall be  
20 remitted to the treasurer of the state for deposit in the  
21 general fund of the state.

22 *g.* If the department finds that the board of directors of  
23 a school district, the authorities in charge of an accredited  
24 nonpublic school, or the governing board of a charter school  
25 has intentionally failed to follow the process established by  
26 this subsection regarding an incident related to an employee  
27 who does not hold a license, endorsement, certification,  
28 authorization, or statement of recognition issued by the board  
29 of educational examiners, the department shall assess a fine  
30 against an administrator of the school district, the accredited  
31 nonpublic school, or the charter school who intentionally  
32 failed to ensure compliance with the process of not less than  
33 five hundred dollars and not more than five thousand dollars.  
34 Payments of the fine provided in this paragraph shall be  
35 remitted to the treasurer of the state for deposit in the

1 general fund of the state.

2 *h.* If the board of educational examiners finds that the  
3 board of directors of a school district, the authorities in  
4 charge of an accredited nonpublic school, or the governing  
5 board of a charter school has intentionally concealed, or  
6 attempted to conceal from any governmental agent, governmental  
7 officer, or potential employer a founded incident, or any  
8 conduct required to be reported pursuant to section 272.15,  
9 related to an employee who holds a license, endorsement,  
10 certification, authorization, or statement of recognition  
11 issued by the board of educational examiners, the board  
12 of educational examiners shall assess a fine against an  
13 administrator of the school district, the accredited nonpublic  
14 school, or the charter school who intentionally assisted in the  
15 concealment, or attempted concealment, of an incident, or any  
16 conduct required to be reported pursuant to section 272.15,  
17 of not more than ten thousand dollars. Payments of the fine  
18 provided in this paragraph shall be remitted to the treasurer  
19 of the state for deposit in the general fund of the state.

20 *i.* If the department finds that the board of directors of  
21 a school district, the authorities in charge of an accredited  
22 nonpublic school, or the governing board of a charter school  
23 has intentionally concealed, or attempted to conceal from  
24 any governmental agent, governmental officer, or potential  
25 employer a founded incident related to an employee who does  
26 not hold a license, endorsement, certification, authorization,  
27 or statement of recognition issued by the board of educational  
28 examiners, the department shall assess a fine against an  
29 administrator of the school district, the accredited nonpublic  
30 school, or the charter school who intentionally assisted in the  
31 concealment, or attempted concealment, of an incident of not  
32 more than ten thousand dollars. Payments of the fine provided  
33 in this paragraph shall be remitted to the treasurer of the  
34 state for deposit in the general fund of the state.

35

DIVISION V

1 EDUCATIONAL PROGRAM

2 Sec. 7. Section 256.11, unnumbered paragraph 1, Code 2023,  
3 is amended to read as follows:

4 The state board shall adopt rules under [chapter 17A](#) and  
5 a procedure for accrediting all public and nonpublic schools  
6 in Iowa offering instruction at any or all levels from the  
7 prekindergarten level through grade twelve. The rules of  
8 the state board shall require that ~~a~~ an age-appropriate,  
9 multicultural, and gender-fair approach is used by schools and  
10 school districts. The educational program shall be taught from  
11 a an age-appropriate, multicultural, and gender-fair approach.  
12 Global perspectives shall be incorporated into all levels of  
13 the educational program. The rules adopted by the state board  
14 pursuant to [section 256.17, Code Supplement 1987](#), to establish  
15 new standards shall satisfy the requirements of [this section](#) to  
16 adopt rules to implement the educational program contained in  
17 this section. The educational program shall be as follows:

18 Sec. 8. Section 256.11, subsections 2, 3, 4, and 9, Code  
19 2023, are amended to read as follows:

20 2. The kindergarten program shall include experiences  
21 designed to develop healthy emotional and social habits and  
22 growth in the language arts and communication skills, as well  
23 as a capacity for the completion of individual tasks, and  
24 protect and increase physical well-being with attention given  
25 to experiences relating to the development of life skills and,  
26 subject to section 279.80, age-appropriate and research-based  
27 human growth and development. A kindergarten teacher shall be  
28 licensed to teach in kindergarten. An accredited nonpublic  
29 school must meet the requirements of [this subsection](#) only if  
30 the nonpublic school offers a kindergarten program; provided,  
31 however, that section 279.80 shall not apply to a nonpublic  
32 school.

33 3. The following areas shall be taught in grades one through  
34 six: English-language arts, social studies, mathematics,  
35 science, health, ~~age-appropriate and research-based~~

1 ~~human growth and development~~, physical education, traffic  
2 safety, music, and visual art, and, subject to section  
3 279.80, age-appropriate and research-based human growth and  
4 development. Computer science instruction incorporating  
5 the standards established under section 256.7, subsection  
6 26, paragraph "a", subparagraph (4), shall be offered in  
7 at least one grade level commencing with the school year  
8 beginning July 1, 2023. The health curriculum shall include  
9 the characteristics of communicable diseases ~~including acquired~~  
10 ~~immune deficiency syndrome~~. The state board as part of  
11 accreditation standards shall adopt curriculum definitions for  
12 implementing the elementary program.

13 4. The following shall be taught in grades seven and  
14 eight: English-language arts; social studies; mathematics;  
15 science; health; age-appropriate and research-based human  
16 growth and development; career exploration and development;  
17 physical education; music; and visual art. Computer science  
18 instruction incorporating the standards established under  
19 section 256.7, subsection 26, paragraph "a", subparagraph (4),  
20 shall be offered in at least one grade level commencing with  
21 the school year beginning July 1, 2023. Career exploration  
22 and development shall be designed so that students are  
23 appropriately prepared to create an individual career  
24 and academic plan pursuant to [section 279.61](#), incorporate  
25 foundational career and technical education concepts aligned  
26 with the six career and technical education service areas  
27 as defined in [subsection 5](#), paragraph "h", and incorporate  
28 relevant twenty-first century skills. The health curriculum  
29 shall include age-appropriate and research-based information  
30 regarding the characteristics of sexually transmitted diseases,  
31 ~~including HPV and the availability of a vaccine to prevent~~  
32 ~~HPV, and acquired immune deficiency syndrome~~. The state board  
33 as part of accreditation standards shall adopt curriculum  
34 definitions for implementing the program in grades seven  
35 and eight. However, [this subsection](#) shall not apply to the

1 teaching of career exploration and development in nonpublic  
2 schools. For purposes of ~~this section~~, "age-appropriate",  
3 "HPV", and "research-based" mean the same as defined in section  
4 279.50.

5 9. a. Beginning July 1, 2006, each school district shall  
6 have a qualified teacher librarian who shall be licensed by  
7 the board of educational examiners under [chapter 272](#). Each  
8 school district shall establish a kindergarten through grade  
9 twelve library program that is consistent with the educational  
10 standards established in this section, contains only  
11 age-appropriate materials, and supports the student achievement  
12 goals of the total school curriculum.

13 b. The state board shall establish in rule a definition  
14 of and standards for an articulated sequential kindergarten  
15 through grade twelve media program.

16 c. A school district that entered into a contract with an  
17 individual for employment as a media specialist or librarian  
18 prior to June 1, 2006, shall be considered to be in compliance  
19 with [this subsection](#) until June 30, 2011, if the individual  
20 is making annual progress toward meeting the requirements  
21 for a teacher librarian endorsement issued by the board of  
22 educational examiners under [chapter 272](#). A school district  
23 that entered into a contract with an individual for employment  
24 as a media specialist or librarian who holds at least a  
25 master's degree in library and information studies shall be  
26 considered to be in compliance with [this subsection](#) until the  
27 individual leaves the employ of the school district.

28 Sec. 9. Section 256.11, subsection 5, paragraph j,  
29 subparagraph (1), Code 2023, is amended to read as follows:

30 (1) One unit of health education which shall include  
31 personal health; food and nutrition; environmental health;  
32 safety and survival skills; consumer health; family life;  
33 age-appropriate and research-based human growth and  
34 development; substance abuse and nonuse; emotional and  
35 social health; health resources; and prevention and control

1 of disease, including age-appropriate and research-based  
2 information regarding sexually transmitted diseases, ~~including~~  
3 ~~HPV and the availability of a vaccine to prevent HPV, and~~  
4 ~~acquired immune deficiency syndrome.~~

5 Sec. 10. Section 256.11, Code 2023, is amended by adding the  
6 following new subsection:

7 NEW SUBSECTION. 19. For purposes of this section:

8 *a.* (1) "*Age-appropriate*" means topics, messages, and  
9 teaching methods suitable to particular ages or age groups  
10 of children and adolescents, based on developing cognitive,  
11 emotional, and behavioral capacity typical for the age or age  
12 group. "*Age-appropriate*" does not include any material with  
13 graphic descriptions or visual depictions of a sex act as  
14 defined in section 702.17.

15 (2) Notwithstanding subparagraph (1), for purposes of the  
16 human growth and development curriculum, "*age-appropriate*" means  
17 the same as defined in section 279.50.

18 *b.* "*Research-based*" means the same as defined in section  
19 279.50.

#### 20 DIVISION VI

#### 21 BOARD OF EDUCATIONAL EXAMINERS — LICENSES

22 Sec. 11. Section 256.16, subsection 1, Code 2023, is amended  
23 by adding the following new paragraph:

24 NEW PARAGRAPH. *m.* If a higher education institution  
25 providing practitioner preparation offers a program that is  
26 designed to assist students in attaining a teacher intern  
27 license from the board of educational examiners, the program  
28 shall require participants to satisfy all of the following  
29 requirements before completing the program:

30 (1) A participant in the program must have graduated from  
31 an accredited or state-approved college or university and must  
32 meet the requirements for an endorsement area approved by the  
33 board of educational examiners for a teacher intern license.

34 (2) A participant in the program must submit with the  
35 application to the program a copy of an offer of employment

1 from a school.

2 (3) A participant in the program must complete the required  
3 pedagogy training.

4 (4) A participant in the program must work under the  
5 supervision of a teacher leader assigned by the school district  
6 or accredited nonpublic school, including during co-teaching  
7 and planning time.

8 Sec. 12. NEW SECTION. **256.161A Temporary initial license**  
9 **for applicants who complete an alternative teacher certification**  
10 **program.**

11 1. The board shall grant a temporary initial teaching  
12 license to an applicant who meets all of the following  
13 requirements:

14 a. The applicant shall hold a bachelor's degree from an  
15 accredited college or university.

16 b. The applicant shall successfully complete an alternative  
17 teacher certification program that includes all of the  
18 following:

19 (1) The required content training in the area in which the  
20 applicant seeks to be licensed.

21 (2) Pedagogy training, including an examination, that  
22 teaches effective instructional delivery, classroom management  
23 and organization, assessment, instructional design, and  
24 professional learning and leadership.

25 2. To be considered an alternative teacher certification  
26 program for purposes of this section, an alternative teacher  
27 certification program shall meet all of the following  
28 requirements:

29 a. The alternative teacher certification program must  
30 operate in at least five states.

31 b. The alternative teacher certification program must have  
32 been in operation for at least ten years.

33 3. An individual who successfully completes an alternative  
34 teacher certification program and who is granted a temporary  
35 initial teaching license by the board under this section is

1 authorized to teach the subjects and grade levels that the  
2 individual successfully completed during the alternative  
3 teacher certification program.

4 4. An individual who successfully completes an alternative  
5 teacher certification program and who is granted a temporary  
6 initial teaching license by the board under this section shall  
7 not provide instruction to students who are eligible for  
8 services under chapter 256B until the individual successfully  
9 completes a practicum relating to providing instruction to  
10 such students that includes short-term field experiences in  
11 educational settings that are connected to specific coursework.

12 5. The board shall treat an individual who successfully  
13 completes an alternative teacher certification program and who  
14 is granted a temporary initial teaching license by the board  
15 under this section in the same manner as an individual who  
16 completes a traditional teacher preparation program and who  
17 receives an initial teaching license, including during the  
18 process of converting the temporary initial teaching license  
19 to a standard teaching license.

20 Sec. 13. Section 272.2, subsection 13, Code 2023, is amended  
21 to read as follows:

22 13. Adopt rules to provide for nontraditional preparation  
23 options for licensing persons who hold a bachelor's degree  
24 or higher from an accredited or state-approved college or  
25 university, who do not meet other requirements for licensure.  
26 The rules shall, at a minimum, require the board to do all of  
27 the following:

28 a. Issue a teacher intern license to an applicant who has  
29 enrolled in a program established pursuant to section 256.16,  
30 subsection 1, paragraph "m".

31 b. Allow a licensee who has attained a teacher intern  
32 license pursuant to paragraph "a" to apply for an initial  
33 teaching license if the school that employed the licensee  
34 during the licensee's completion of the program established  
35 pursuant to section 256.16, subsection 1, paragraph "m", and

1 the higher education institution that operated the program,  
2 recommend that the licensee be allowed to apply for an initial  
3 teaching license.

4 Sec. 14. Section 272.28, Code 2023, is amended to read as  
5 follows:

6 **272.28 Licensure beyond a temporary initial license or an**  
7 **initial license.**

8 1. Requirements for teacher licensure beyond a temporary  
9 initial license or an initial license shall include successful  
10 completion of a beginning teacher mentoring and induction  
11 program approved by the state board of education pursuant to  
12 section 284.5; or two years of successful teaching experience  
13 in a school district with an approved career paths, leadership  
14 roles, and compensation framework or approved comparable system  
15 as provided in [section 284.15](#); or evidence of not less than  
16 three years of successful teaching experience at any of the  
17 following:

18 a. An accredited nonpublic school in this state.

19 b. A preschool program approved by the United States  
20 department of health and human services.

21 c. Preschool programs at school districts approved to  
22 participate in the preschool program under [chapter 256C](#).

23 d. Shared visions programs receiving grants from the child  
24 development coordinating council under [section 256A.3](#).

25 e. Preschool programs receiving moneys from the school  
26 ready children grants account of the early childhood Iowa fund  
27 created in [section 256I.11](#).

28 2. A teacher from an accredited nonpublic school or another  
29 state or country is exempt from the requirement of [subsection 1](#)  
30 if the teacher can document three years of successful teaching  
31 experience and meet or exceed the requirements contained in  
32 rules adopted under [this chapter](#) for endorsement and licensure.

33 DIVISION VII

34 SCHOOL RESPONSIBILITIES

35 Sec. 15. Section 256E.7, subsection 2, paragraph i, Code

1 2023, is amended to read as follows:

2 *i.* Be subject to and comply with [section 279.76](#) relating  
3 to physical examinations, ~~and~~ health screenings, and formal  
4 examinations or surveys designed to assess a student's mental,  
5 emotional, or physical health in the same manner as a school  
6 district.

7 Sec. 16. Section 256E.7, subsection 2, Code 2023, is amended  
8 by adding the following new paragraphs:

9 NEW PARAGRAPH. *0j.* Be subject to and comply with the  
10 requirements of section 279.78 relating to prohibitions and  
11 requirements related to the gender identity of students in the  
12 same manner as a school district.

13 NEW PARAGRAPH. *00j.* Be subject to and comply with the  
14 requirements of section 279.79 relating to student, employee,  
15 and contractor participation in surveys, analyses, activities,  
16 or evaluations in the same manner as a school district.

17 NEW PARAGRAPH. *000j.* Be subject to and comply with the  
18 requirements of section 279.80 relating to sexual orientation  
19 and gender identity instruction in kindergarten through grade  
20 six in the same manner as a school district.

21 NEW PARAGRAPH. *0000j.* Be subject to and comply with the  
22 requirements of section 279.81 relating to prohibiting students  
23 from serving on any committees that determine, or provide  
24 recommendations related to, whether a material in a school  
25 library should be removed.

26 NEW PARAGRAPH. *00000j.* Be subject to and comply with the  
27 requirements of section 280.33 relating to the reporting and  
28 investigation of an incident involving the possible commission  
29 of a felony by any person who has been issued a license,  
30 endorsement, certification, authorization, or statement of  
31 recognition by the board of educational examiners in the same  
32 manner as a school district.

33 NEW PARAGRAPH. *000000j.* Be subject to and comply with the  
34 requirements of section 280.34 relating to the requirement  
35 to view the board of educational examiners' public license

1 information prior to hiring an individual who has been issued  
2 a license, endorsement, certification, authorization, or  
3 statement of recognition by the board of educational examiners  
4 in the same manner as a school district.

5     **Sec. 17. NEW SECTION. 256E.13 Extracurricular athletic**  
6 **activities.**

7     1. If a charter school established pursuant to this chapter  
8 does not offer a particular extracurricular athletic activity,  
9 a student enrolled in the charter school may participate in the  
10 extracurricular athletic activity provided by the student's  
11 school district of residence as a member of a team from the  
12 student's school district of residence.

13     2. If a student participates in an extracurricular athletic  
14 activity provided by the student's school district of residence  
15 pursuant to this section, the student shall be included in the  
16 school district's basic enrollment under section 257.6 and  
17 shall be counted as one-tenth of one pupil for purposes of  
18 section 257.6.

19     3. The state board may adopt rules pursuant to chapter 17A  
20 to administer this section.

21     **Sec. 18. Section 256F.4, subsection 2, paragraph k, Code**  
22 **2023, is amended to read as follows:**

23     *k.* Be subject to and comply with [section 279.76](#) relating  
24 to physical examinations, ~~and~~ health screenings, and formal  
25 examinations or surveys designed to assess a student's mental,  
26 emotional, or physical health in the same manner as a school  
27 district.

28     **Sec. 19. Section 256F.4, subsection 2, Code 2023, is amended**  
29 **by adding the following new paragraphs:**

30     **NEW PARAGRAPH. 1.** Be subject to and comply with the  
31 requirements of section 279.78 relating to prohibitions and  
32 requirements related to the gender identity of students in the  
33 same manner as a school district.

34     **NEW PARAGRAPH. m.** Be subject to and comply with the  
35 requirements of section 279.79 relating to student, employee,

1 and contractor participation in surveys, analyses, activities,  
2 or evaluations in the same manner as a school district.

3 NEW PARAGRAPH. *n.* Be subject to and comply with the  
4 requirements of section 279.80 relating to sexual orientation  
5 and gender identity instruction in kindergarten through grade  
6 six in the same manner as a school district.

7 NEW PARAGRAPH. *o.* Be subject to and comply with the  
8 requirements of section 279.81 relating to prohibiting students  
9 from serving on any committees that determine, or provide  
10 recommendations related to, whether a material in a school  
11 library should be removed.

12 NEW PARAGRAPH. *p.* Be subject to and comply with the  
13 requirements of section 280.33 relating to the reporting and  
14 investigation of an incident involving the possible commission  
15 of a felony by any person who has been issued a license,  
16 endorsement, certification, authorization, or statement of  
17 recognition by the board of educational examiners in the same  
18 manner as a school district.

19 NEW PARAGRAPH. *q.* Be subject to and comply with the  
20 requirements of section 280.34 relating to the requirement  
21 to view the board of educational examiners' public license  
22 information prior to hiring an individual who has been issued  
23 a license, endorsement, certification, authorization, or  
24 statement of recognition by the board of educational examiners  
25 in the same manner as a school district.

26 Sec. 20. Section 257.6, subsection 1, paragraph a, Code  
27 2023, is amended by adding the following new subparagraph:

28 NEW SUBPARAGRAPH. (10) In addition to subparagraph (9),  
29 resident pupils enrolled in a charter school under chapter 256E  
30 who participate in extracurricular athletic activities pursuant  
31 to section 256E.13 shall be counted as one-tenth of one pupil.

32 Sec. 21. Section 279.50, subsections 1 and 2, Code 2023, are  
33 amended to read as follows:

34 1. ~~Each~~ Subject to section 279.80, each school board shall  
35 provide instruction in kindergarten which gives attention

1 to experiences relating to life skills and human growth and  
2 development as required in [section 256.11](#). School districts  
3 shall use research provided in [section 256.9, subsection 46](#),  
4 paragraph "b", to evaluate and upgrade their instructional  
5 materials and teaching strategies for human growth and  
6 development.

7 2. Each school board shall provide age-appropriate and  
8 research-based instruction in human growth and development  
9 including instruction regarding human sexuality, self-esteem,  
10 stress management, interpersonal relationships, domestic  
11 abuse, ~~HPV and the availability of a vaccine to prevent HPV,~~  
12 ~~and acquired immune deficiency syndrome~~ and the prevention and  
13 control of disease, including sexually transmitted diseases as  
14 required in [section 256.11](#), in grades ~~one~~ seven through twelve.

15 Sec. 22. Section 279.50, Code 2023, is amended by adding the  
16 following new subsection:

17 NEW SUBSECTION. 1A. Subject to section 279.80, each  
18 school board shall provide age-appropriate and research-based  
19 instruction in human growth and development including  
20 instruction regarding self-esteem, stress management,  
21 interpersonal relationships, and domestic abuse in grades one  
22 through six.

23 Sec. 23. Section 279.50, subsection 9, paragraphs b and c,  
24 Code 2023, are amended by striking the paragraphs.

25 Sec. 24. Section 279.76, subsection 1, Code 2023, is amended  
26 to read as follows:

27 1. a. Each school district is prohibited from administering  
28 or conducting an invasive physical examination of a student,  
29 ~~or~~ a student health screening that is not required by state or  
30 federal law, or a formal examination or survey of a student  
31 that is designed to assess the student's mental, emotional, or  
32 physical health that is not required by state or federal law,  
33 without first acquiring the written consent of the student's  
34 parent or guardian. [This section](#) applies only to a minor child  
35 in the direct care of a parent or guardian, and does not apply

1 to an emancipated minor or a minor who is not residing with the  
2 parent or guardian.

3 b. Each school district shall give written notice to a  
4 student's parent or guardian of an examination or survey of  
5 the student required by state or federal law that is designed  
6 to assess the student's mental, emotional, or physical health  
7 not less than seven days prior to the examination or survey.  
8 The notice shall include a copy of the examination or survey  
9 or a link to an internet site where the parent or guardian may  
10 access the examination or survey.

11 c. This subsection shall not apply to a hearing or vision  
12 examination.

13 **Sec. 25. NEW SECTION. 279.77 Transparency — publication**  
14 **of school district information.**

15 1. Each school district shall publish all of the following  
16 information related to the current school year on the school  
17 district's internet site:

18 a. A detailed explanation of the procedures or policies  
19 in effect for the parent or guardian of a student enrolled in  
20 the school district to request the removal of a book, article,  
21 outline, handout, video, or other educational material that is  
22 available to students in the classroom or in a library operated  
23 by the school district. Each school district shall prominently  
24 display the detailed explanation on the school district's  
25 internet site.

26 b. A detailed explanation of the procedures or policies in  
27 effect to request the review of decisions made by the board  
28 of directors of the school district, including the petition  
29 process established pursuant to section 279.8B.

30 2. The board of directors of each school district shall  
31 adopt a policy describing the procedures for the parent or  
32 guardian of a student enrolled in the school district or a  
33 resident of the school district to review the instructional  
34 materials used in classrooms in the school district. The  
35 policy shall include a process for a student's parent or

1 guardian to request that the student not be provided with  
2 certain instructional materials. The policy shall be  
3 prominently displayed on the school district's internet site  
4 and the board of directors of the school district shall, at  
5 least annually, provide a written or electronic copy of the  
6 policy to the parent or guardian of each student enrolled  
7 in the school district. For purposes of this section,  
8 "*instructional materials*" means either printed or electronic  
9 textbooks and related core materials that are written and  
10 published primarily for use in elementary school and secondary  
11 school instruction and are required by a state educational  
12 agency or local educational agency for use by students in the  
13 student's classes by the teacher of record. "*Instructional*  
14 *materials*" does not include lesson plans.

15 3. Each school district shall make available on the school  
16 district's internet site a comprehensive list of all books  
17 available to students in libraries operated by the school  
18 district. However, for school years beginning prior to July  
19 1, 2025, if the school district does not use an electronic  
20 catalog, the school district may request a waiver from this  
21 requirement from the department of education.

22 4. The identity of a parent or guardian who requests the  
23 removal of a book, article, outline, handout, video, or other  
24 educational material that is available to students in the  
25 classroom or in a library operated by the school district  
26 pursuant to subsection 1, paragraph "a", shall be confidential  
27 and shall not be a public record subject to disclosure under  
28 chapter 22.

29 5. This section shall not be construed to require a school  
30 district to do any of the following:

31 a. Reproduce educational materials that were not created by  
32 a person employed by the board of directors.

33 b. Distribute any educational materials in a manner that  
34 would infringe on the intellectual property rights of any  
35 person.

1     **Sec. 26. NEW SECTION. 279.78 Parental rights in education.**

2     1. As used in this section:

3     *a. "Gender identity"* means the same as defined in section  
4 216.2.

5     *b. "License"* means the same as defined in section 272.1.

6     *c. "Practitioner"* means the same as defined in section  
7 272.1.

8     2. A school district shall not knowingly give false or  
9 misleading information to the parent or guardian of a student  
10 regarding the student's gender identity or intention to  
11 transition to a gender that is different than the sex listed on  
12 a student's official birth certificate or certificate issued  
13 upon adoption if the certificate was issued at or near the time  
14 of the student's birth.

15     3. If a student enrolled in a school district requests  
16 an accommodation that is intended to affirm the student's  
17 gender identity from a licensed practitioner employed by  
18 the school district, including a request that the licensed  
19 practitioner address the student using a name or pronoun that  
20 is different than the name or pronoun assigned to the student  
21 in the school district's registration forms or records, the  
22 licensed practitioner shall report the student's request  
23 to an administrator employed by the school district, and  
24 the administrator shall report the student's request to the  
25 student's parent or guardian.

26     **Sec. 27. NEW SECTION. 279.79 Protection of student rights.**

27     1. The board of directors of a school district must  
28 receive the prior written consent of a student's parent or  
29 guardian before requiring a student to take part in any survey,  
30 analysis, activity, or evaluation that reveals information  
31 concerning any of the following about the student or the  
32 student's family, whether the information is personally  
33 identifiable or not:

34     *a.* The political affiliations or beliefs of the student or  
35 the student's parent or guardian.

1     *b.* Mental or psychological problems of the student or the  
2 student's family.

3     *c.* Sexual behavior, orientation, or attitudes.

4     *d.* Illegal, antisocial, self-incriminating, or demeaning  
5 behavior.

6     *e.* Critical appraisals of other individuals with whom the  
7 student has close familial relationships.

8     *f.* Legally recognized privileged or analogous relationships,  
9 such as those of attorneys, physicians, or ministers.

10    *g.* Religious practices, affiliations, or beliefs of the  
11 student or the student's parent or guardian.

12    *h.* Income, except when required by law to determine  
13 eligibility for participation in a program or for receiving  
14 financial assistance under such a program.

15    2. An employee of a school district, or a contractor engaged  
16 by a school district, shall not answer any question pertaining  
17 to any particular student enrolled in the school district  
18 in any survey related to the social or emotional abilities,  
19 competencies, or characteristics of the student, unless the  
20 board of directors of the school district satisfies all of the  
21 following requirements:

22    *a.* The board of directors of the school district provides to  
23 the parent or guardian of each student enrolled in the school  
24 district detailed information related to the survey, including  
25 the person who created the survey, the person who sponsors the  
26 survey, how information generated by the survey is used, and  
27 how information generated by the survey is stored.

28    *b.* The board of directors of the school district receives  
29 the written consent from a student's parent or guardian  
30 authorizing the employee or contractor to answer questions in  
31 the survey pertaining to the student.

32    3. Subsection 2 shall not be construed to prohibit an  
33 employee of a school district, or a contractor engaged by a  
34 school district, from answering questions pertaining to any  
35 particular student enrolled in the school district as part of

1 the process of developing or implementing an individualized  
2 education program for such student.

3 Sec. 28. NEW SECTION. **279.80 Sexual orientation and gender**  
4 **identity — prohibited instruction.**

5 1. As used in this section:

6 a. "*Gender identity*" means the same as defined in section  
7 216.2.

8 b. "*Sexual orientation*" means the same as defined in section  
9 216.2.

10 2. A school district shall not provide any program,  
11 curriculum, test, survey, questionnaire, promotion, or  
12 instruction relating to gender identity or sexual orientation  
13 to students in kindergarten through grade six.

14 Sec. 29. NEW SECTION. **279.81 Library materials review**  
15 **committee.**

16 The board of directors of a school district shall not allow a  
17 student to serve on any committee that determines, or provides  
18 recommendations related to, whether a material in a library  
19 operated by the school district should be removed.

20 Sec. 30. NEW SECTION. **279.82 Intra-district enrollment.**

21 1. A parent or guardian of a student enrolled in a  
22 school district may enroll the student in another attendance  
23 center within the same school district that offers classes  
24 at the student's grade level in the manner provided in this  
25 section if, as a result of viewing a recording created by a  
26 video surveillance system or a report from a school district  
27 employee, the board of directors of the school district  
28 determines that any student enrolled in the school district  
29 has harassed or bullied the student. For purposes of this  
30 subsection, "*harassment*" and "*bullying*" mean the same as defined  
31 in section 280.28.

32 2. a. A parent or guardian shall send notification to the  
33 board of directors of the school district, on forms prescribed  
34 by the department of education, that the parent or guardian  
35 intends to enroll the student in another attendance center

1 within the same school district that offers classes at the  
2 student's grade level.

3     **b.** The board of directors of the school district shall  
4 enroll the student in another attendance center within the same  
5 school district unless the attendance center has insufficient  
6 classroom space for the student. The board of directors of a  
7 school district may adopt a policy granting the superintendent  
8 of the school district authority to approve requests submitted  
9 pursuant to this section. If the request is granted, the board  
10 of directors of the school district shall transmit a copy of  
11 the form to the parent or guardian within five days after board  
12 action. The parent or guardian may withdraw the request at any  
13 time prior to the board of directors' action on the request.  
14 A denial of a request by the board of directors is not subject  
15 to appeal.

16     **c.** Each school district shall adopt a policy that defines  
17 the term "*insufficient classroom space*" for that district.

18     3. A request under this section is for a period of not  
19 less than one year. A student who attends school in another  
20 attendance center pursuant to this section may return to the  
21 original attendance center and enroll at any time, once the  
22 parent or guardian has notified the board of directors of  
23 the school district in writing of the decision to enroll the  
24 student in the original attendance center.

25     4. If a request filed under this section is for a student  
26 requiring special education under chapter 256B, the request to  
27 transfer to another attendance center shall only be granted if  
28 all of the following conditions are met:

29     **a.** The attendance center maintains a special education  
30 instructional program that is appropriate to meet the student's  
31 educational needs and the enrollment of the student in the  
32 attendance center would not cause the size of the class or  
33 caseload in that special education instructional program in the  
34 attendance center to exceed the maximum class size or caseload  
35 established pursuant to rules adopted by the state board of

1 education.

2     *b.* If the student would be assigned to a general education  
3 class, there is sufficient classroom space for the general  
4 education class to which the student would be assigned.

5     5. If a student, for whom a request to transfer has been  
6 filed with the board of directors of a school district, has  
7 been suspended or expelled in the school district, the student  
8 shall not be permitted to transfer until the student has been  
9 reinstated. Once the student has been reinstated, however, the  
10 student shall be permitted to transfer in the same manner as if  
11 the student had not been suspended or expelled. If a student,  
12 for whom a request to transfer has been filed with the board  
13 of directors of a school district, is expelled in the school  
14 district, the student shall be permitted to transfer under this  
15 section if the student applies for and is reinstated. However,  
16 if the student applies for reinstatement but is not reinstated  
17 in the school district, the board of directors of the school  
18 district may deny the request to transfer. The decision of  
19 the board of directors of the school district is not subject  
20 to appeal.

21     6. A student who is enrolled in another attendance center  
22 within the same school district pursuant to this section is  
23 eligible to participate immediately in varsity interscholastic  
24 athletic contests and athletic competitions as a member of a  
25 team from the receiving attendance center.

26     7. This section shall not be construed to prohibit a  
27 school district from allowing the parent or guardian of a  
28 student enrolled in the school district to enroll the student  
29 in another attendance center within the same school district  
30 that offers classes at the student's grade level pursuant to a  
31 policy adopted by the board of directors of the school district  
32 that allows for transfers for reasons in addition to those  
33 allowed pursuant to this section.

34     8. The state board of education shall adopt rules pursuant  
35 to chapter 17A to administer this section.

1     Sec. 31. NEW SECTION.   **279.83 Notice to parents or guardians**  
2 **related to physical injuries, harassment, or bullying.**

3     An employee of a school district shall notify the parents  
4 or guardians of a student enrolled in the school district in  
5 writing or by electronic mail within twenty-four hours after  
6 the employee witnesses, either directly or indirectly by  
7 viewing a recording created by a video surveillance system, any  
8 of the following:

9     1. Any student enrolled in the school district physically  
10 injuring the student.

11    2. Any student enrolled in the school district harassing  
12 or bullying the student. For purposes of this subsection,  
13 *"harassment"* and *"bullying"* mean the same as defined in section  
14 280.28.

15     Sec. 32. NEW SECTION.   **280.13D Seizure action plan and**  
16 **training requirements.**

17    1. For the purposes of this section, unless the context  
18 otherwise requires:

19     *a. "Individual health plan"* means the confidential, written,  
20 preplanned, and ongoing special health service developed for a  
21 student who requires such service to be incorporated with the  
22 student's educational program.

23     *b. "School nurse"* means a registered nurse holding current  
24 licensure recognized by the board of nursing who practices in  
25 the school setting to promote and protect the health of the  
26 school population by using knowledge from the nursing, social,  
27 and public health sciences.

28     *c. "School personnel"* means principals, guidance counselors,  
29 teachers, and other relevant employees who have direct contact  
30 with and supervise children, including school bus drivers and  
31 paraeducators. *"School personnel"* does not include employees  
32 who provide child care as part of a child care program  
33 described in section 279.49 or 280.3A.

34     *d. "Seizure action plan"* means a written set of instructions  
35 designed to direct caregivers and staff to intervene in the

1 event of a seizure occurrence and is considered a plan for  
2 emergencies as a part of an individual health plan.

3 2. *a.* Starting with the school year beginning July 1,  
4 2024, the board of directors of each school district and the  
5 authorities in charge of each accredited nonpublic school shall  
6 have at least one school employee at each school who has met  
7 the training requirements necessary to administer or assist  
8 with the self-administration of all of the following:

9 (1) A medication approved by the United States food and  
10 drug administration to treat seizure disorder symptoms or  
11 a medication approved by the United States food and drug  
12 administration as a seizure rescue medication.

13 (2) A manual dose of prescribed electrical stimulation  
14 using a vagus nerve stimulator magnet approved by the United  
15 States food and drug administration.

16 *b.* The presence of a school nurse employed full-time by  
17 a school district or accredited nonpublic school who assumes  
18 responsibility for the administration of seizure medications  
19 and the administration oversight of vagus nerve stimulation  
20 shall fulfill the requirements of paragraph "a". This section  
21 shall not be construed to require school personnel, other than  
22 a school nurse, to administer a suppository to a student.

23 3. *a.* On or before December 31, 2025, each public school  
24 and each accredited nonpublic school shall provide training to  
25 all school personnel on how to recognize the signs and symptoms  
26 of seizures and the appropriate steps for seizure first aid.

27 *b.* Each public school and each accredited nonpublic school  
28 shall require school personnel responsible for the supervision  
29 or care of students to undergo seizure recognition and first  
30 aid training on a biennial basis.

31 4. Any training programs or guidelines adopted by a state  
32 agency for the training of school personnel in the health care  
33 needs of students diagnosed with a seizure disorder shall be  
34 consistent with training programs and guidelines developed  
35 by the epilepsy foundation of America or any successor

1 organization.

2 5. This section shall not be construed to limit the  
3 authority of a school district, an accredited nonpublic school,  
4 or the department of education to require additional seizure  
5 disorder training.

6 6. *a.* Prior to school personnel administering medication  
7 prescribed to treat a student's seizure disorder symptoms, a  
8 school or accredited nonpublic school shall obtain a signed and  
9 dated authorization from the student's parent or guardian that  
10 authorizes a person who meets the requirements of subsection 2  
11 to administer medication in accordance with the school's policy  
12 and procedures.

13 *b.* Authorizations required pursuant to paragraph "a" shall  
14 be effective for the school year in which the authorization is  
15 granted and must be renewed each school year.

16 7. Upon the request of a student's parent or guardian,  
17 a school district or accredited nonpublic school shall  
18 collaborate with the parent or guardian and relevant licensed  
19 health care professionals, including the school nurse or  
20 education team, in the development of an individual health  
21 plan, and a seizure action plan if appropriate, consistent  
22 with rules adopted by the state board of education. The  
23 individual health plan or seizure action plan shall be based  
24 on the student's needs and may include but is not limited  
25 to assessment, nursing diagnosis, outcomes, planning,  
26 interventions, student goals, and a plan for emergencies to  
27 provide direction in managing the student's health needs. The  
28 plan shall be updated consistent with timelines for individual  
29 health plans and with rules adopted by the state board of  
30 education.

31 8. *a.* Each school district and each accredited nonpublic  
32 school shall maintain all authorizations pursuant to subsection  
33 6, individual health plans, and seizure action plans for  
34 enrolled students on file in the office of the school nurse or  
35 school administrator.

1     *b.* Each school district and each accredited nonpublic  
2 school shall distribute information regarding a student's  
3 seizure action plan to any school personnel responsible for the  
4 supervision or care of the student.

5     9. The requirements of subsections 6, 7, and 8 shall only  
6 apply to a school district or accredited nonpublic school that  
7 has either of the following:

8     *a.* An enrolled student with a known diagnosis of epilepsy or  
9 seizure disorder.

10    *b.* An enrolled student who is known to currently be taking  
11 medication prescribed by a health care provider as that term  
12 is defined in section 135.61, and approved by the United  
13 States food and drug administration to treat seizure disorder  
14 symptoms.

15    10. The state board of education shall adopt rules to  
16 establish a seizure education program for the purpose of  
17 providing school districts and accredited nonpublic schools an  
18 age-appropriate program on seizures and seizure disorders. The  
19 seizure education program shall be consistent with guidelines  
20 published by the epilepsy foundation of America or any  
21 successor organization, and participation in the program shall  
22 be optional.

23    11. A school district or accredited nonpublic school, an  
24 employee of a school district or accredited nonpublic school,  
25 or an agent of a school district or accredited nonpublic  
26 school acting in good faith and in compliance with a student's  
27 individual health plan and seizure action plan shall not be  
28 liable for any claim for injuries or damages arising from  
29 actions taken to assist a student with the student's needs  
30 related to epilepsy or a seizure disorder.

31    Sec. 33. NEW SECTION. **280.33 Incidents related to licensed**  
32 **practitioners — reporting and investigation.**

33    The board of directors of a school district and the  
34 authorities in charge of each accredited nonpublic school shall  
35 follow the process created by the department of education

1 pursuant to section 256.9, subsection 66, related to the  
2 reporting and investigation of an incident involving the  
3 possible commission of a felony by any employee of the board of  
4 directors of the school district or the authorities in charge  
5 of the accredited nonpublic school.

6 Sec. 34. NEW SECTION. 280.34 Requirement to view public  
7 license information.

8 Prior to hiring an individual who has been issued a license,  
9 endorsement, certification, authorization, or statement of  
10 recognition by the board of educational examiners, a school  
11 district or an accredited nonpublic school, as applicable,  
12 shall view the board of educational examiners' public license  
13 information to determine if the individual has a case pending  
14 with a finding of probable cause or any licensure sanction.  
15 This section shall not be construed to require the board  
16 of educational examiners to disclose unfounded, closed  
17 investigations.

18 Sec. 35. EFFECTIVE DATE. The following, being deemed of  
19 immediate importance, take effect upon enactment:

20 1. The section of this division of this Act enacting section  
21 279.82.

22 2. The section of this division of this Act enacting section  
23 279.83.

24 DIVISION VIII

25 BOARD OF EDUCATIONAL EXAMINERS — MEMBERSHIP AND MISCELLANEOUS  
26 RESPONSIBILITIES

27 Sec. 36. Section 272.2, subsection 14, paragraph b,  
28 subparagraph (1), unnumbered paragraph 1, Code 2023, is amended  
29 to read as follows:

30 The person entered a plea of guilty to, ~~or~~ has been found  
31 guilty of, or the board has found by a preponderance of the  
32 evidence that the person committed, any of the following  
33 offenses, whether or not a sentence is imposed:

34 Sec. 37. Section 272.2, subsection 15, Code 2023, is amended  
35 to read as follows:

1 15. a. Adopt rules that require specificity in written  
2 complaints that are filed by individuals who have personal  
3 knowledge of an alleged violation and which are accepted by  
4 the board, provide that the jurisdictional requirements as set  
5 by the board in administrative rule are met on the face of the  
6 complaint before initiating an investigation of allegations,  
7 provide that any investigation be limited to the allegations  
8 contained on the face of the complaint, provide for an adequate  
9 interval between the receipt of a complaint and public notice  
10 of the complaint, permit parties to a complaint to mutually  
11 agree to a resolution of the complaint filed with the board,  
12 allow the respondent the right to review any investigative  
13 report upon a finding of probable cause for further action by  
14 the board, require that the conduct providing the basis for  
15 the complaint occurred within three years of discovery of the  
16 event by the complainant unless good cause can be shown for  
17 an extension of this limitation, ~~and~~ require complaints to be  
18 resolved within one hundred eighty days unless good cause can  
19 be shown for an extension of this limitation, and require the  
20 board to finalize the investigation of the written complaint  
21 even if the licensed practitioner resigns or surrenders the  
22 licensed practitioner's license, certificate, authorization, or  
23 statement of recognition during the investigation.

24 b. Adopt rules that require the collection and retention of  
25 written complaints that are filed. If the board determines a  
26 written complaint is not founded, the complaint and all records  
27 related to the complaint shall be kept confidential and are not  
28 subject to chapter 22.

29 c. Adopt rules that require the board to notify the public  
30 when a licensed practitioner who is the subject of an ongoing  
31 investigation initiated under paragraph "a" has a case pending  
32 with a finding of probable cause. This paragraph shall not be  
33 construed to require the board to disclose unfounded, closed  
34 investigations initiated under paragraph "a".

35 d. Adopt rules that require the evaluation of complaints

1 that did not result in any discipline or sanction if similar  
2 complaints are filed against the same licensed practitioner.

3 e. Adopt rules that require the board to investigate an  
4 administrator who is employed by the school that employs a  
5 licensed practitioner who is the subject of an investigation  
6 initiated under paragraph "a". The rules shall require  
7 the board to investigate whether the administrator filed a  
8 written complaint pursuant to this subsection and whether the  
9 administrator was required to report to the board pursuant to  
10 section 272.15.

11 Sec. 38. Section 272.2, Code 2023, is amended by adding the  
12 following new subsection:

13 NEW SUBSECTION. 26. Adopt rules pursuant to chapter  
14 17A that allow an individual seeking a career and technical  
15 secondary authorization to apply, and if eligible, be issued  
16 the secondary authorization prior to accepting an offer of  
17 employment with a school.

18 Sec. 39. Section 272.3, Code 2023, is amended by striking  
19 the section and inserting in lieu thereof the following:

20 **272.3 Membership.**

21 1. The board of educational examiners shall consist of  
22 eleven members, subject to the following requirements:

23 a. Five members shall be the parent or guardian of a student  
24 who is either currently enrolled or has been enrolled within  
25 the seven years immediately prior to the member's appointment  
26 in a school district, nonpublic school, or charter school  
27 located in this state and shall not currently hold any elective  
28 office, shall not be an employee or contractor of a school  
29 district, nonpublic school, or charter school, and shall not  
30 have been an employee or contractor of a school district,  
31 nonpublic school, or charter school within the ten years  
32 immediately prior to the member's appointment.

33 b. Five members shall be licensed practitioners. One of  
34 the members appointed pursuant to this paragraph shall be an  
35 administrator and one shall be a special education teacher.

1 c. One member shall be a member of the board of directors of  
2 a school district.

3 2. The membership of the board shall comply with the  
4 requirements of sections 69.16 and 69.16A. A quorum of the  
5 board shall consist of six members. Members shall elect a  
6 chairperson of the board. Members shall be appointed by the  
7 governor subject to confirmation by the senate.

8 Sec. 40. Section 272.4, subsection 1, Code 2023, is amended  
9 to read as follows:

10 1. ~~Members, except for the director of the department of~~  
11 ~~education or the director's designee,~~ shall be appointed to  
12 serve staggered terms of four years. A member shall not serve  
13 more than two consecutive terms, ~~except for the director of the~~  
14 ~~department of education or the director's designee, who shall~~  
15 ~~serve until the director's term of office expires.~~ A member of  
16 the board, ~~except for the two public members and the director~~  
17 ~~of the department of education or the director's designee, who~~  
18 is a licensed practitioner appointed pursuant to section 272.3,  
19 subsection 1, paragraph "b", shall hold a valid practitioner's  
20 license during the member's term of office. A vacancy exists  
21 when any of the following occur:

22 a. ~~A nonpublic member's license~~ The license of a licensed  
23 practitioner appointed pursuant to section 272.3, subsection 1,  
24 paragraph "b", expires, is suspended, or is revoked.

25 b. ~~A nonpublic member~~ licensed practitioner appointed  
26 pursuant to section 272.3, subsection 1, paragraph "b", retires  
27 or terminates employment as a practitioner.

28 c. A member dies, resigns, is removed from office, or is  
29 otherwise physically unable to perform the duties of office.

30 d. A member's term of office expires.

31 Sec. 41. BOARD OF EDUCATIONAL EXAMINERS MEMBERSHIP —  
32 TRANSITION.

33 1. The terms of office associated with the members of the  
34 board of educational examiners shall, as of the effective  
35 date of this division of this Act, be deemed to have expired,

1 notwithstanding the terms of office associated with the members  
2 under section 272.3.

3 2. For the members of the board of educational examiners  
4 first appointed by the governor on or after the effective date  
5 of this division of this Act, five shall serve an initial term  
6 of two years and six shall serve an initial term of four years.  
7 When the governor appoints such members, the governor shall  
8 indicate whether the appointee's term shall be for two years or  
9 for four years. For purposes of the limitation on consecutive  
10 terms a member may serve under section 272.4, subsection 1, a  
11 term of two years shall be considered a full term.

12 DIVISION IX

13 PRIVATE INSTRUCTION AND SPECIAL EDUCATION

14 Sec. 42. Section 299A.9, subsection 1, Code 2023, is amended  
15 to read as follows:

16 1. A child of compulsory attendance age who is identified  
17 as requiring special education under [chapter 256B](#) is eligible  
18 for placement under competent private instruction ~~with prior~~  
19 ~~approval of the placement by the director of special education~~  
20 ~~of the area education agency of the child's district of~~  
21 ~~residence.~~

22 Sec. 43. Section 299A.9, Code 2023, is amended by adding the  
23 following new subsection:

24 NEW SUBSECTION. 3. The parent, guardian, or legal custodian  
25 of a child who is identified as requiring special education  
26 may request dual enrollment pursuant to section 299A.8. The  
27 appropriate special education services for the child shall be  
28 determined pursuant to chapter 256B and rules adopted pursuant  
29 to chapter 256B.

30 DIVISION X

31 PARENTS AND GUARDIANS RIGHTS

32 Sec. 44. NEW SECTION. 601.1 Parents and guardians —  
33 rights.

34 1. For purposes of this section:

35 a. "Emergent care situation" means a sudden or unforeseen

1 occurrence or onset of a medical or behavioral condition that  
2 could result in serious injury or harm to a minor child in the  
3 event immediate medical attention is not provided.

4 *b. "Medical care"* means any care, treatment, service, or  
5 procedure to prevent, diagnose, alleviate, treat, or cure a  
6 minor child's physical or mental condition.

7 *c. "Minor child"* means an unmarried and unemancipated person  
8 under the age of eighteen years.

9 2. Subject to section 147.164, as enacted by 2023 Iowa  
10 Acts, Senate File 538, a parent or guardian bears the ultimate  
11 responsibility, and has the fundamental, constitutionally  
12 protected right, to make decisions affecting the parent's  
13 or guardian's minor child, including decisions related to  
14 the minor child's medical care, moral upbringing, religious  
15 upbringing, residence, education, and extracurricular  
16 activities. Any and all restrictions of this right shall be  
17 subject to strict scrutiny.

18 3. This section shall not be construed to prohibit any of  
19 the following:

20 *a.* A minor child from receiving medical attention in an  
21 emergent care situation.

22 *b.* A person from cooperating in a child abuse assessment  
23 commenced in accordance with section 232.71B.

24 *c.* A court, law enforcement officer, or an employee of a  
25 governmental entity that is responsible for child welfare from  
26 acting in the court's, law enforcement officer's, or employee's  
27 official capacity and scope of authority.

28 *d.* A court from issuing an order that is otherwise permitted  
29 by law.

30 4. This section shall not be construed to authorize a parent  
31 or guardian to engage in conduct that is unlawful or to abuse  
32 or neglect a minor child in violation of the laws of this  
33 state.

34 5. The rights guaranteed to parents and guardians by this  
35 section are not a comprehensive list of the rights reserved

1 to parents or guardians of a minor child. The enumeration of  
2 the rights contained in this section shall not be construed to  
3 limit the rights reserved to parents or guardians of a minor  
4 child.

5 DIVISION XI

6 IMPLEMENTATION OF ACT

7 Sec. 45. IMPLEMENTATION OF ACT. Section 25B.2, subsection  
8 3, shall not apply to this Act.>

9 2. Title page, line 3, after <child,> by inserting  
10 <authorizing the parent or guardian of a student enrolled in  
11 a school district to enroll the student in another attendance  
12 center within the same school district in certain specified  
13 circumstances, modifying the membership of the board of  
14 educational examiners, establishing a temporary initial  
15 teaching license to be issued by the board of educational  
16 examiners to applicants who complete an alternative teacher  
17 certification program,>

18 3. Title page, line 8, after <screenings,> by inserting  
19 <mandatory reporters,>

20 4. Title page, line 11, by striking <districts> and  
21 inserting <districts, accredited nonpublic schools, the  
22 department of education, the board of educational examiners,>

23 5. Title page, line 13, after <education> by inserting <,  
24 and including effective date provisions>